A true landscape democracy

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this kind of environment and its preservation must transcend the established division in environmental ethics between anthropocentrism and non-anthropocentrism. The idea of the complex cultural landscape challenges the notion of preservation understood as maintaining an object in a given condition. Since preservation of the cultural landscape has an immaterial dimension, a level of meaning, it need not be preservation of physical characteristics, and it may well be compatible with continued use and development of the land.[68]

68 This chapter has grown out of a project funded by the British Council and the Norwegian Research Council, *Humans in Nature: the Ethics and Aesthetics of Cultural Landscapes* (1999–2000).

Chapter 3:
A true landscape democracy

Finn Arler

Introduction

Just around the turn of the millennium the Council of Europe adopted a European Landscape Convention (ELC).[1] The primary aims of the Convention are to promote landscape protection, management and planning in the member states, as well as to establish cooperative measures on the European level. In order to enhance the public awareness of the value of landscapes, and to make landscape policy more coherent, the signing parties committed themselves to define their own sets of objectives in terms of landscape quality. It is stated very clearly in the convention that, due to the very nature of landscapes, this definition of objectives can only be carried out through an involvement of the general public as well as particular stakeholders and interested parties. In the Explanatory Report (ER) to the convention it is stated that the overall aim of the Convention is to establish "a true landscape democracy" (ER par. 64).

In this chapter I shall take the Landscape Convention as my main point of reference while focusing on the question of democracy. I shall ask what such a true landscape democracy may actually look like, but also why or whether landscape democracy is important in the first place. Which kind of democracy? What are the main goals? How should it be organized? Who are the main actors? I shall move forward in the following steps. Firstly, I shall take a look at the Landscape Convention and the points put forward here about landscape democracy. Secondly, I will present three sets of values, which are all associated with the concept of democracy, but which are not always easy to combine.

1 Council of Europe: *European Landscape Convention and Explanatory Report*, Strasbourg 19 July 2000, T-LAND (2000) 6.

Thirdly, I shall present and discuss various kinds of institutional arrangements, which can be used in order to establish a true landscape democracy.

The landscape convention on landscape quality and democracy

Spaces and places

The European Landscape Convention defines "landscape" as "an area, as perceived by people, whose character are the result of the action of natural and/or human factors". (ELC Article 1). This definition reflects the well-known point that landscapes are double-sided phenomena.[2] They are, to use Yi-Fu Tuan's expression, both spaces and places.[3] On the one hand, a landscape is a more or less well-defined space with certain physical features, many of which are measurable. There are physical objects, as well as various processes and events, all of which can be surveyed and interpreted by experts. Some of these experts are natural scientists working on subjects like geological, evolutionary or climatic changes, water cycles or ecological processes, whereas others are social scientists with specialties like transport systems, localization patterns, or economic structures. As long as the landscape is conceived of as a three- or four-dimensional space, all of these scientists can focus on fairly objective features in accordance with the standards of their discipline.

On the other hand, the landscape is also a *place*, which human beings perceive, get attached to, and interpret in different ways. It is the home of local people and a visiting spot for strangers. There is a stronger subjective component involved here, which cannot be dealt with in a manner as detached as the one commonly used in relation to measurable landscape features. Conceived of as places, landscapes become meaningful units, settings of a series of more or less important events, sceneries of beauty, or surroundings with particular kinds of atmospheres. These kinds of features cannot be registered by a detached observer in the same way as, for instance, the amount of rain falling in a certain area or the number of cars passing through.

2 The origin of the concept "landscape" and the various connotations which have been related to it are described in Kenneth R. Olwig: *Landscape, Nature, and the Body Politic* (Madison: University of Wisconsin Press, 2002).

3 Yi-Fu Tuan, *Space and Place: The perspective of experience* (London: Edward Arnold, 1977). As Tuan's book shows, the terms "space" and "place" have more meanings than the ones used here.

One should not overexert the difference, of course. In order to understand why a landscape is considered to be valuable, it is often necessary to know the particular events that have taken place on the location, and this knowledge may not be all that different from the knowledge of the detached scientific observer. Still, detached knowledge cannot give adequate justice to the value and meaningfulness, which is attached to landscapes as places, but is rather the result of a systematic abstraction from any involvement the observers may, and often do, have. When landscapes are conceived of as meaningful places, and their particular values are to be identified, detachment is no longer appropriate.

This raises the question, however, whose perceptions and interpretations of the landscape ought to be considered when decisions are made about landscape protection, management or planning. If we want to know how the infrastructure has developed or what the effects of climate change may happen to be, i.e., when we conceive of the landscape as a space with measurable features, we readily accept that there are experts to consult. There are complex issues, like the consequences of climate change, where we may have reasonable doubt about the validity of certain expert opinions, but in general we rely on them and acknowledge their superior competence.

This is not as obvious, however, when we conceive of landscapes as places and try to identify their most valuable features in order to define landscape quality objectives. It is not a clear case exactly who the landscape experts are, not only because there are often many different features which could place a candidate among the top ten of special importance, but also because we all have our own stories to tell, as well as our own distinctive feelings about the landscape we inhabit. If we have lived there for a long time, we conceive of it as *our* landscape, and quite a few of us have opinions on which features should be considered most valuable.

This is the reason why the vision of a "true landscape democracy" becomes a reasonable option. If there are no, or rather: too many experts with whom the decisions could be left, and we all seem to have something to contribute to the decision process, democracy must be the right answer. But what does this exactly mean? Democracy is not a simple thing. It involves several different, and sometimes conflicting, values, and it can be organized in various ways. The question is which values are most important in relation to landscape politics – and I am talking both of particular landscape values and of more general democratic values – and which kind of organization will capture these values best. To begin with, let us see what the Landscape Convention has to say about this.

The landscape convention on democracy and landscape quality

The Landscape Convention itself is quite cautious and talks in the most general terms about landscape qualities. The signing parties agree that living in a high quality landscape is "a key element of individual and social well-being," as it is stated in the Preamble, but when it comes to specifying the qualities involved, their agreement is quite reluctant. It does say a little, though. "Heritage," "diversity," and "identity" are the three most recurring terms. Article 1 says that what is worth preserving are "significant and characteristic features of a landscape, justified by its heritage value derived from its natural formation and/or from human activity". Article 5 states that landscapes are expressions of "the diversity of their shared cultural and natural heritage," and that they are "a foundation of the identity" of the inhabitants. The Explanatory Report similarly explains that "the cultural and natural values linked to European landscapes" constitute a significant part of "Europe's common heritage" (ER par.30), and as such form "an essential component of the setting for people's lives". These points are repeated several times later in both the Convention and in the Explanatory Report with only small changes to the wording.

There is a reason for this vagueness and reluctance. The authors of the Convention are very anxious to leave it to the authorities of the signing parties themselves to make assessments, and to identify the most significant features of their own landscapes. Or, rather, they wish to leave it to the public authorities, on a national or local level, to formulate their own set of quality objectives. The basic rationale is that the general democratic value of self-determination overrules all the specific landscape values in the sense that it becomes more important to preserve the democratic right of self-determination than to preserve some specified landscape features. The Landscape Convention should encourage the identification of qualities, but not bind the local authorities too much.

In Article 1 this goal is already stated in the definition of "landscape quality": "'Landscape quality objective' means, for a specific landscape, the formulation by the competent public authorities of the aspirations of the public with regard to the landscape features of their surroundings." A landscape quality assessment is, the Explanatory Report explains, "a detailed statement of the characteristics which local people want recognized in their surroundings" (ER par.40). The aim is to identify, preserve and, if possible, improve exactly those features of the landscape that have a prominent place in the expectations of the population. The general idea is "to meet the aspirations of the people concerned". Even though it is underlined that landscape policies ought to be

based on detailed knowledge of the characteristics of each landscape, the most important sighting point remains "the value which the population concerned attaches to it" (ER par.54). It is therefore vital to involve "the local community, the general public and the various other stakeholders by means of surveys and information meetings" (ER par.56).

According to the authors of the Explanatory Report, Europe's populations do not only "want policies and instruments affecting national territory to take account of their wishes regarding the quality of their surroundings". The populations are even convinced, we are told, that quality is related, in particular, to "the feelings aroused in them by contemplating the landscape" (ER par.21). When the public authorities of the signing parties undertake to asses the landscapes, they must therefore first and foremost take into account the particular values (or feelings) assigned to them by "the interested parties and the population concerned" (Article 6). Landscape assessment cannot be seen as "an exclusive field of study or action monopolized by specialist scientific and technical bodies" (ER par.22). Landscape quality is not a question that can be treated as "a specialist field of public affairs" (ER par.50). Landscape is "the concern of all and lends itself to democratic treatment, particularly at local and regional level" (ER par.23).

Landscape quality has "an important public interest role" in two ways, however. On the one hand, it is important in relation to "cultural, ecological, environmental and social" issues. On the other hand, it constitutes "a resource favourable to economic activity". The task, therefore, is to strike a reasonable balance between the two concerns. In the Explanatory Report it is noted, that this balance may favour the protection of features related to scenery and identity rather than those related to the traditional productive sectors, because in current societies the preservation of significant landscapes is in itself "capable of generating employment in the context of the boom in sustainable tourism" (ER par.36). The reason is that, in addition to their significance for the local people, Europe's landscapes are "cherished outside the locality and beyond national borders" (ER par.29). Still, when the local authorities assess the quality of their landscape, they ought to take into account not only the values assigned to them by the general public, but in particular those of parties with a vested interest such as landowners, land users and production managers.

The landscape quality assessment process leading up to political decisions on landscape development is a complicated thing. It must take into account all the concerned people's opinion and interests, which, according to the Explanatory

Report, are "highly subjective" and "differ considerably" (ER par.57), including landowners and other stakeholders with an economic interest. The question is, therefore, which methods and procedures would be most appropriate to use in the landscape assessment in order to make it truly democratic. There is, the Explanatory Report acknowledges, not just one universally acknowledged method for evaluating landscapes (ER par.58), and no matter how landscape evaluation is organized, it cannot involve a precise scale of values (ER par 54).

The Landscape Convention is a request to take the question of landscape quality seriously and to make the landscape assessment as democratic as possible. It is an open-ended request, however, in so far as it leaves it to the signing parties and especially the local authorities in each country to select on their own the methods and procedures, which they find most appropriate for evaluating the local landscapes and for making decisions on landscape preservation, management and development. The Convention gives several hints, but no clear recommendations. In this chapter I will discuss several possibilities. Before I get so far, I find it necessary to dwell a while with the concept of democracy. It is, after all, not altogether clear which of the values that we relate to the concept "democracy" are the most important in relation to landscape policy.

Democracy

Democracy is not a simple and one-dimensional concept with only one definite meaning. It covers several values and principles, which do not always fit easily together, and it can be found on several different and often mutually competing levels. In the following paragraphs I shall focus particularly on three different sets of values, which are usually associated with democracy: personal freedom and self-determination, co-determination and participation in common affairs, and objectivity and impartiality.

Personal freedom and self-determination

The basic point in all liberal defences of democracy is the protection of individual self-determination. For most liberals, the protection of the private sphere, individual free scopes left for private choices, is the overriding principle. It does not really matter how weird the choices in the private free scope may look to an outsider. Self-determination is understood as a transcendental value, and as such beyond the level of all the mundane values and conceptions of the good that are pursued by particular persons. The good is not a subject

matter for governments and public authorities. When public authorities interfere in matters related to conceptions of the good, they immediately become "paternalistic." The question of the good is basically a pre-political issue, and it should be left for private decisions taken, as far as possible, within the confines of private property. In general, the private individual knows best what is good for him or her. Consequently, private property and consumer sovereignty should be respected, and public authorities should only take action in cases where market failures are too obvious to be ignored.

Hard-core liberals, who argue along these lines, typically consider the good to be a matter of subjective opinion, a question of non-rational subjective preferences. Self-determination can also be accepted as a prominent value for other reasons, however. Any conception of the good, which focuses on the development of the individual as an independent person, has to give self-determination a rather prominent place in its system of values. It is difficult to see how one can develop oneself as an individual, if there is no personal space at all left for individual decisions and for living (and maybe even experimenting with) the kind of life one believes to be most appropriate for the kind of being one happens to be. In this case, the point is not that all values and conceptions of the good deserve to be treated as equals, because they are all based on nothing but private non-rational preferences. Instead, it is a specific, although also fairly open-ended conception of the good, which sees self-development as a prominent good and considers self-development and self-determination to be linked closely together.

There are two important differences between the two kinds of defences of personal freedom and self-determination. Firstly, the second defence allows other kinds of consideration to be brought in on an equal footing. Personal freedom is not a transcendental value that overrules all other kinds of values, no matter how the circumstances may happen to be. It is an important value, but other values may sometimes overrule it. If, for instance, a community finds certain elements that are placed on a citizen's private property to be of high significance, they may decide to make restrictions on the use of this property. The good of the citizen's personal freedom always ought to be weighted against the common good related to elements, in our case: landscape features, which are considered to be particularly significant by the community.

This example points to a second important difference. Whereas the first, hard-core liberal, defence denies, or at least downgrades, the possibility of having rational conversations about conceptions of the good, the second defence

insists on the possibility, even the necessity of such conversations. The good is not an exclusively private affair, even though a high degree of personal freedom is a precondition, if the conversation partners shall be able to develop and present independent and well-considered conceptions of the good. While the first defence is grounded in a sceptical attitude towards common decision making and attempts to protect the property owner and private consumer from politics, the second defence primarily underlines the need to preserve a high degree of personal independence in order for the individual to develop autonomous points of view, which can be used, tested and refined continuously in common debates and deliberations.

Co-determination and participation

The liberals' avowal of individual self-determination results in a strong focus on individual decision making in the private sphere and in the marketplace. Claims on co-determination and participation, on the other hand, are related to areas where decisions are made in common. Some of the most important aspects are coded as participatory rights like, for instance, voting rights, the right to be heard, the right to be taken seriously in public negotiations and decision making, the right to have one's interests taken into consideration, etc.

Participation and co-determination can be understood in more than one way, however. On the one hand, one may argue that everybody should have exactly equal influence, because values and conceptions of the good are all, and equally so, based on individual subjective preferences. In this case, common decision making is paralleled to the market's automatic aggregation of individual consumer choices. Instead of buying consumer goods in the super market, citizens vote for public goods in, for instance, preference surveys. The only dissimilarity is that differences in wealth and ability to pay are neutralized. Considered this way, equity would demand either that everybody gets as much influence on the common decisions as everybody else, no matter what his or her preferences may happen to be, that the decisions always reflect the views of the majority, or that total preference satisfaction is always maximized.

If, on the other hand, the key points in participation and co-determination are considered to be public involvement in common affairs, mutual learning and personal development, neither private preferences nor personal conceptions of the good can be seen as invariable facts. These would rather be seen as preliminary assumptions and suggestions, most of which are likely to be revised and refined in the process of public discussion and deliberation. In

this case, it does not matter much whose original suggestions are followed in the final round. The only things that matter are public engagement and wide support behind the chosen solutions. Even though a wide-ranging scope for individual self-determination may be seen as a presupposition for any voluntary and unrestrained involvement in issues of common interest, the values related to participation and co-determination cannot be reduced to those of individual self-determination.

The participatory approach has a particular advantage, which is emphasized in the Landscape Convention: If people are assigned an active part in decision-making on landscape policy, it will be easier for them to identify with and feel attached to the landscape where they live. When local people have more influence on the surrounding landscape, they will be more able to "reinforce local and regional identity and distinctiveness" (ER par.24). Protection, management and planning of landscapes will be more effective if responsibility is entrusted to "the authorities closest to the communities concerned" (ER par.49) and, more generally, to the local inhabitants. Participation leads to responsibility and to a more active concern about the landscape.

Objectivity and impartiality

A third set of values, which are used in defences of democratic decision making, is related to objectivity and impartiality.[4] The basic point here is that common decisions should always be made with due respect to arguments, and that democracy is the best guarantee for this, because it safeguards an open public debate together with fair decision procedures. Decisions should not simply be based on subjective preferences, no matter how many these may happen to be, but on reasons that are, or ought to be, acceptable to all. There are two elements combined here. Firstly, arguments, rather than raw power, ability to pay, or exclusive property rights, should, as far as possible, determine the outcome of political decisions. Secondly, these arguments should impartially address the public as a whole, not just one particular privileged section of it.

No other kind of political organization is better than democracy when it comes to developing and giving room for good arguments. In a democracy everybody has, in principle, the possibility of bringing forward arguments concerning political decisions in general and about public goods in particular. This

4 A better word to use is the German "Sachlichkeit" (in Danish: "saglighed"), but I have not been able to find an English word with exactly the same meaning.

is not the privilege of small political elites. Democratic societies keep many channels open, where arguments can flow, and allow for many different kinds of forum for public discussion and negotiations. I shall return to some of these later on in this chapter. By keeping channels open, no arguments are spilled, and biased reasons have fewer chances of getting a foothold in the political decision process.

This is one of the strengths of democracy compared with elitist or aristocratic organizations, even when these organizations are designed, at least in principle, to privilege the most skilful and well-informed members of society: Democracy does not exclude anybody's arguments and learning capacity. There is reason to think, namely, recycling Aristotle's classical formulation, that "the many, though not individually good men, yet when they come together may be better, not individually but collectively, than those who are so [...] for where there are many, each individual, it may be argued, has some portion of virtue and wisdom."[5]

Of course, there is always the danger of populism, of gifted speakers seducing the majority of the people using fraud or inadequate arguments. But no other political organization can be found that does not include far more serious dangers. Still, the danger of populism does remind us that formal guarantees only have a limited range, if they are not backed up by a democratic culture with a strong tradition of critical evaluation and respect for good impartial arguments. A tradition, that is, where open-mindedness is combined not only with critical sense but also with an appropriate amount of respect for the knowledge and experience of individuals, experts and connoisseurs who have dealt with a particular issue for a long time. This is a basic point in the third set of values: democracy cannot be reduced to private freedom, majority rule and/or equal influence. Respect for arguments also means respect for adequate expertise and connoisseurship.

Our issue here is landscape politics. This is an area where the boundaries of expertise and connoisseurship are more floating than in many other areas. When we are talking about at least some of the qualities related to our local landscape, we are all, to some extent, experts and connoisseurs. We all have stories and experiences to tell. What is important in relation to the third set of values is that we do not cling to these pre-political experiences or the related

5 Aristotle, *Politics*, trans. H. Rackham (Cambridge, Mass.: Harvard University Press 1990), III vi, 1281b.

private preferences, but rather try to transform them into claims and arguments to be used in the common political debate. Through this debate the arguments and claims can be tested against other arguments and claims, some of which we may never have been aware of before. In this sense the public debate is a learning device, where everybody has a chance not only of bringing forward his or her claims but also of becoming aware of landscape qualities, which may bring new experiences and stories to tell.

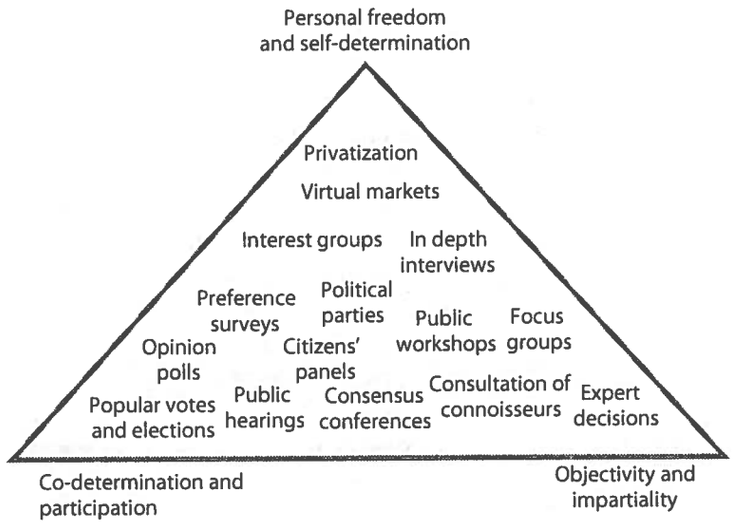

Figure 1. Three basic sets of values related to democracy. The three sets point in different directions in relation to the institutional setup. The variety of models of decision making (or decision influencing) is distributed in the figure in accordance with each model's position in relation to the three sets of values.

In *Figure 1* I have tried to distribute a series of candidates for the institutional arrangement, which may be set up in order to further a true landscape democracy, in accordance with their closeness or distance to each of the three sets of values. In the following section I will discuss some of the strength and weaknesses of each of the candidates.

Democracy and landscape – a variety of models

Modern democratic societies include a series of institutions, which contribute to the democratization of society. Some are more obvious than others. Institutionalizing free and secret votes, for instance, is obviously an important element, whereas the education of the citizens, the enlightenment of voters and public debaters, or the social security that is crucial in order for citizens to develop independent opinions, may be less apparent, but essential none the less. Without educational institutions there would probably be no democratic culture at all.

In this section, I shall take a closer look at some of the various institutions, which can be used in order to further true landscape democracy. I shall deal mainly with the sort of institutions that contribute most directly to the development of landscapes, and only mention in passing the less apparent institutions, which contribute more indirectly. In *Figure 2* I have tried to give an overview of some of the most important channels, through which the citizens may, and often do, influence the development of landscapes.

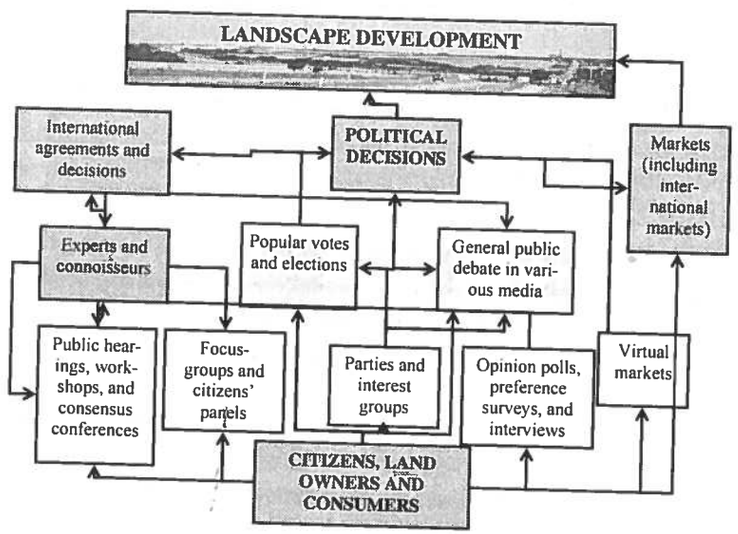

Figure 2. A simplified diagram showing the different ways decisions related to the development of landscapes are influenced by citizens and consumers as well as by experts and connoisseurs. It needs to be mentioned that political decisions are made on various levels, from the local to the international level.

Privatization and virtual markets

If it is assumed, in line with the ideas of hard-core liberals, that answers to questions concerning landscape quality are simply based on subjective preferences, and that personal freedom and self-determination are the main values of a democracy, privatization is a very good candidate for making landscape policy truly democratic. In this case everybody can influence the landscape on his or her own private property and/or, like consumers, pay other landowners to change their land practices in accordance with one's preferences. Whoever is willing to pay for the continuation or establishment of certain landscape features can get whatever he or she wants as long as there are landowners who are willing to sell or change practices for the offered amount of money. The basic assumption is that nobody can go wrong, as long as one sticks to ones own preferences, and there is no external authority which is better suited than one is oneself to evaluate the solutions.

One problem remains, however, even on this position's own premises, namely the fact that the total landscape mosaic of private bits and pieces of land may very well turn out to be unwanted as a whole by a majority of people. They may find it ugly due to its lack of coordination and harmony, or they may miss some features that cannot be upheld without a common coordinated effort. If, for instance, a number of farmers shoot all the deer or migrating birds passing their grounds, the neighbours cannot preserve them on their own land. Or, to take another example, some landowners may set up red fences or big advertising signs along an otherwise beautiful road, even though a large percentage of the population may hate it – without being able to do anything about it. Some hard-core liberals would argue that this is the price one may sometimes have to pay for the much more valuable right of private self-determination. Others would argue, however, that in such cases it is after all appropriate to establish a public landscape policy, which identifies quality objectives for the landscape as a common good, and to give the public authorities the means to implement these objectives. In such cases, the values of co-determination, equality of influence and participation would to some extent outmatch the value of private self-determination.

There is one way, however, through which it seems possible to avoid giving up the personal freedom and self-determination related to private property and consumption. If the public authorities create actual or virtual markets by, for instance, organizing so-called "contingent valuation" or "willingness-to-pay" surveys, the citizens can continue to act as free private consumers and choose

amongst the offered landscape elements and features as if they were shopping in the local super market. If enough citizens are willing to pay enough for migrating birds, whales, wilderness areas, or historical grounds in order for the owners or potential harvesters of the resources to be compensated properly, these elements will continue to be present. If, on the other hand, the authorities cannot collect enough actual or virtual money to compensate the losses, the features will disappear.

The important thing for the liberal is not whether the preservation of certain elements and features is motivated by their direct and indirect use value, experiential value, option value or existence value. The actual or virtual consumers may or may not be motivated by one of these values, but they shall no more and no less be under any obligation to give reasons for their choices in landscape politics than they are when picking consumer goods from the shelves at the mall. If it is all a matter of subjective preferences, not of intersubjective value judgments, there is no reason to argue about anything. I like this, you like that, and that's it. What is democratic about the arrangement is that the members of the population choose on their own as sovereign consumers instead of leaving the decisions to some paternalistic body, whose members quite simply have their own equally subjective tastes.

One of the strengths of the virtual markets is that the involved citizens are forced to consider how much they value certain qualities, when these are compared to other wishes, which are not free either. We cannot always have everything we wish for, and by making costs of various decisions visible in terms of money, it becomes more obvious that we have to prioritize. This is undoubtedly a healthy exercise. It would be quite irrational to ignore the economic limitations, or, more generally, the limited amount of time and resources, we always have to take into account.

However, the real problem is that economists using valuation techniques seldom recognize the fundamental distinction between privately motivated persons (What is good for me?) and the politically motivated citizens (What is good for us?). As Rousseau emphasized two and a half centuries ago, "every individual as a man may have a private will contrary to, or different from, the general will that he has as a citizen. His private voice may speak with a very different voice from that of the public interest."[6] The "will of all," the aggregations of private

6 Jean-Jacques Rousseau, *The social contract* (1762), trans. Maurice Cranston (Harmondsworth: Penguin, 1968), 63.

decisions or the "sum of individual desires," must be separated clearly from the general will with its focus on common interest.[7] Although I may not myself be particularly interested in a certain landscape element, I may still consider it an important feature to preserve. I may, for instance, not be very interested in historical traits left in the landscape, but can still recognize their importance for the community or nation, to which I belong.

Preference surveys

The use of preference surveys is based on two assumptions. Firstly, it is believed that landscape quality is a subjective feature, based on something that can adequately be described as subjective and non-rational preferences. Secondly, it is held that all persons have an equal right to be heard and to have influence on public landscape quality objectives no matter how extensive their ability to pay may be. The most commonly used kind of survey is to let a panel of randomly chosen citizens set scores on pictures or descriptions of landscape types or elements based on their subjective preferences as private persons or as citizens. This way everybody's preferences become visible, and they all count equally. Everybody counts for one, and nobody counts for more than one. According to many liberals, decisions based on these surveys are truly democratic, because they avoid giving undue influence to paternalistic "arbiters of taste," an expression used by the current liberal Danish prime minister, Anders Fogh Rasmussen. Experts and connoisseurs are not bestowed any special status, and their particular sets of subjective preferences are simply considered on a par with those of other citizens.

The strength of preference surveys is, of course, that they make it possible to collect more extensive material than other kinds of inquiries, with answers from many different parts of the population, some of which are only seldom heard in the public debate. This way one can establish a broad overview of the kinds of landscape forms and elements that are preferred by a broad segment of the population or by particular population groups. If the degree of democracy present in a society could be measured simply in terms of equality of influence, decisions on landscape policy can obviously be made more democratic by being based on preference surveys. The more surveys the better. There are, however, a couple of problems related to this solution.

7 Ibid., 72.

Firstly, it may not be as easy to decipher the results of the survey as one could hope for. People's wishes are not always internally consistent, wherefore one and the same person may want two or more mutually exclusive features like, say, more songbirds and fewer insects, or more public wilderness areas, better access roads and lower taxes. Another problem is that the pictures of landscapes or landscape features, which are evaluated through the survey, usually are presented fairly isolated from the particular background, against which the specific shape and content of the landscape must be understood, such as the local history or other relevant circumstances, which are not immediately visible. More knowledge of this background can often change evaluations significantly. When, for instance, informants in a survey are told that the picture of a somewhat messy forest, which they gave a low score in the first round, is actually a "nature forest," however this is defined, the score typically rises considerably in the second round.

Such inconsistencies are due to the fact that informants of preference surveys do not always have well-considered and coherent wishes and ideals, nor have discussed their wishes with other people. Only few people have actually considered and discussed the subject of landscape quality thoroughly. Is it really reasonable to base decisions on people's often flighty and superficial preferences? Most people would agree, after all, that getting more experience and more knowledge of an area often alters one's view – and that the altered view appears to be more qualified. Likewise, after discussion and presentations of other points of view, especially well-considered ones, most people change their minds. Would we not all prefer, then, that our input into the decision making process is well-considered judgment rather than some half-baked opinions we only come up with on this particular occasion in order to please the polite research assistant?

A survey that is made at the end of a sequence of guided experience, information and discussion would be a possibility. Such a sequence could consist, for instance, of one or more sessions where the participants are dragged through the landscape, informed about its history and about the particular features which separates it from other landscapes, sessions where people with strong opinions on landscape quality objectives are given the opportunity to present their case, sessions where focused discussions are organized, etc. The interesting thing is that the survey made after the session can be said to give a better and truer picture of the participants' opinions than a survey made at the beginning – even though they may have changed their opinions during the process.

If this is true, however, then the phenomena revealed through the second survey are not some flimsy ever-changing and highly subjective preferences. If this were the case, the first survey would be as good as the second one. What makes the second survey more useful than the first one is, rather, that it reveals much better which kinds of reasons the participants find most convincing. If we believe that the second kind of survey brings more relevant information to the political decision process, the most important thing for us is no longer that each and every preference, considered or not, is treated on an equal basis, but rather that the preferences – or judgments – are informed and well-considered. In this case the values related to objectivity, impartiality and respect of argument equal those related to co-determination and equality of influence.

In depth interviews

A similar point can be made in relation to another kind of research on people's understanding of landscape quality, namely in depth interviews. If we believe that our conceptions of landscape quality are not simply based on free-floating preferences, but are closely related to other parts of our life and world views, our habits and life styles, our more or less considered conceptions of the good, etc., then the results of preference surveys can only be understood in depth in relation to these general conceptions and ways of life. If we want to include the opinions of various groups properly in the political decision making process, it does seem appropriate to try to understand the background of these opinions more thoroughly than is possible through preference surveys.

The strength of in depth interviews is that they make it possible to go beyond the preferences to the deeper causes and reasons. It is worth noticing, however, that the interviewer does not simply reveal something that is already at hand out there in real life. An interviewer cannot be compared to a fly on the wall watching the needs and wishes of the informants from a distance. An interviewer inevitably influences the life and mind of the informants, and the better he or she is, the more so. Why? Because an interviewer forces the informants to clarify their opinions or conceptions of landscape quality together with their views of all the other matters of life related to it.

Interviewers can be compared to therapists. The informants may never have thought very much about these opinions and their interconnectedness. They may never have faced the flaws and inconsistencies, which the interviews reveal, and which the good interviewer quickly identifies and exposes to the informants themselves. At the end of the interview, or after a series of interviews,

the informants may have changed their views on many things significantly. Not because the interviewer has seduced them into believing something they did not believe from the start, but because they themselves have tried to make their own opinions more considered and coherent.

Again, if we believe that the opinions expressed at the end of the interview is more interesting in relation to political decision making than the more flawed and less considered ones at the beginning, it cannot simply be subjective preferences we are after. Rather, our interest is in the conclusions that various actors with different backgrounds end up with when they are forced to make their views and opinions as coherent as possible, particularly after having been acquainted with arguments and observations that many people find convincing, illuminating or instructive. We are not really interested in preferences, it seems, but rather in the spectrum of considered conclusions, which may be reached across a variety of actors, who act and think differently due to differences in upbringing, experiences, position, way of life and personality.

Freedom and learning

What happens between the first and second round of preference surveys or between the beginning and the end of in depth interviews is a kind of reflective learning process, where opinions are often changed. A change occurs not only due to new information, but also because the participants or informants are forced to re-evaluate some of their previously unchallenged views and value judgments. Whenever this happens, and when we find the new conclusions better than the old ones, the values of objectivity, impartiality, and respect for arguments begin to outmatch the value of equal influence.

The basic point in co-determination is to give everybody a chance of having influence on common decisions. However, the importance of having influence depends on the degree to which one is on top of one's own preferences instead of being run by them. To use one of Rousseau's expressions once again, we are only truly free, if we are not ourselves slaves of unreflected desires, which come and go beyond our control.[8] Freedom does not consist in doing and having whatever we desire, but rather getting what we can defend desiring. To get on top we need to establish or strengthen the critical faculty of our mind.

John Locke made a similar point in his essay on human understanding. The mind, he wrote, has in most cases a "power to *suspend* the execution and

8 Ibid., 65.

satisfaction of any of its desires". The liberty of human beings consists in the ability to consider the objects of desire, examine them one by one, and weigh them with others.[9] What separates us from other animals is the ability to "raise our desires in a due proportion to the value of the good".[10] As rational animals we are capable of shoving arguments in between the unexamined cravings and the truly willed acts, and thus "to desire, will, and act according to the last result of a fair *examination*".[11] We are capable of letting our considered conceptions of the good guide our longings and not react on it "till we have duly examined whether it has a tendency to, or be inconsonant with, our real happiness".[12]

Still, it can often be difficult to determine, whether a desire is really worth pursuing. Locke therefore recommends us to consult other human beings, especially those whose judgments we reckon in general to be sound and well-considered, before taking decisions in difficult cases.[13] When left on our own, we may end up with biased or even weird and idiosyncratic ideas. Only through conversation, dialogue, and common deliberation can we get rid of these oddities. We need, in Kant's word, to fight against three kinds of egoism: logical, aesthetic, and ethical,[14] and, in the last instance, as world citizens, test our judgments openly in public and critical debates.

Forums for debate and learning

In relation to landscape politics, such debates can be organized in a number of ways. Apart from the general public debate in newspapers, magazines, and electronic media, there are a series of possibilities. The first one, which deserves to be mentioned here, is the establishment of *focus groups*. This arrangement may have acquired a bad reputation due to its being used by opportunistic politicians who try to get their policies in line with contemporary trends among the voters. It does have several important qualities, however, which should not be ignored.

First of all, focus groups are, or can be, arenas for common learning processes, where people with very different backgrounds and convictions get a chance of meeting each other with the single purpose of exchanging and testing ideas on

9 John Locke, *An Essay Concerning Human Understanding*, 5th ed. (1706), ed. John W. Yolton (London/New York: Dent/Dutton, Everyman's Library, 1972), 217.
10 Ibid., 216.
11 Ibid., 218.
12 Ibid., 220.
13 Ibid., 219.
14 I. Kant, *Anthropologie in pragmatischer Absicht*, ed. Karl Vorländer (Hamburg: Felix Meiner, 1980), § 2, 13ff.

a common issue. Existing pre-political preferences and ideas are not considered as established facts, but rather as preliminary judgments in need of testing, and often of adjustment. The common debate in focus groups can thus be a creative process, where everything, in principle, is open for examination, and if all the presuppositions of a good discussion are satisfied,[15] focus groups can be very important players in the democratic process.

A couple of relatives of the focus group are *citizens' panels* and *consensus conferences*, where a limited number of more or less randomly selected citizens try to reach a verdict or a common consensus about problematic issues after being presented with a certain amount of information, together with arguments and viewpoints from various experts and connoisseurs and sometimes representatives of certain standpoints or interests. Here, too, the point is to establish an open, critical and creative learning process, where nothing of relevance is protected from possible examination. This includes examinations of the costs, which society – or the taxpayers – will have to pay in order to obtain certain goods.

In relation to focus groups, citizens' panels and consensus conferences the question becomes less important whether the participants are truly representative of the population at large, than it does in relation to opinion polls and preference surveys. It strengthens the process, of course, if many different social groups participate, representing a variety of values and conceptions of the good. However, due to the fact that the participants can be expected to change their views during the process, their openness towards arguments, capacity of understanding and good judgment seem even more important than whether they are truly representative of the population at large or not.

Public hearings do, in principle, contain many of the same qualities as focus groups and consensus conferences. The trouble is that public hearings are often, to a much larger extent, run by politicians and officials, who need formal legitimacy behind their decisions. Decisions that are often made in advance through negotiations, which are not open to the public, and where the participants typically act in strategic fashions trotting out arguments and standpoints already

15 The author who has emphasized these presuppositions most insistently is, of course, Jürgen Habermas, first of all in "Erste Zwischenbetrachtung" in his *Theorie des kommunikativen Handelns, Band 1* (Frankfurt am Main: Suhrkamp, 1981), 367–453, and in "Diskursethik – Notizen zu einem Begründungsprogramm", in J. Habermas, *Moralbewusstsein und kommunikatives Handeln* (Frankfurt am Main: Suhrkamp, 1983, 97ff. Cf. also Robert Alexy, "Eine Theorie des praktischen Diskurses", in W. Oelmüller, ed., *Normenbegründung, Normendurchsetzung* (Paderborn: Schöningh), 1978.

tested and confirmed by their party. Moreover, the debates at public hearings are often dominated by interest groups with predetermined standpoints.

One should not overlook the fact, though, that an exchange of arguments and related learning processes are taking place within the *political parties* and *interest groups*, too. The freedom to organize in parties and non-governmental organizations is a very important part of democratic societies. What is particularly important is that political parties are committed to take the common interest, and not just the interests of all (or a few), as their point of view. The party members may not always be fully aware of this, nor be able or willing to live up to this commitment, but nevertheless, they are, in principle, important players in the public deliberative process due to the need to perceive each policy area within a larger societal picture.

The role of experts and connoisseurs

In the Landscape Convention and the Explanatory Report it is underlined that landscape assessment is not an issue to be left with the experts alone, but also that experts should be consulted whenever it is appropriate. The question is when such consultations are actually appropriate, and which kinds of experts it would be most relevant to consult in these situations. The answer very much depends on which of the three sets of values are used as a starting point.

Liberals, who underline personal independence and self-determination as the basic values in a democracy, are most likely to be sceptical about involving landscape experts. At least if the involvement is sponsored by public authorities. Private persons are free to involve whatever kind of expertise they may happen to prefer, as long as they pay for it themselves. In the public realm, however, experts are expected to become paternalistic "arbiters of taste," who undermine private self-determination and invade private property. According to hard-core liberals, we are better off without them. The only kinds of experts who have a legitimate role to play are the facilitators of the market and the necessary institutions surrounding it, such as law enforcement. Contingent valuation experts may also have a legitimate task, though, in situations where a broad segment of the population wants to preserve or enhance certain landscape features, which are not for sale on the market.

If, on the other hand, it is believed that equal co-determination and maximization of preference satisfaction are the most precious values of democracies, other kinds of experts would be in greater demand. The most important group would undoubtedly be preference survey and opinion poll organizers. These

experts are absolutely indispensable in order to keep political decisions in line with the ever-changing public sentiments. Some defenders of this point of view may want to involve other kinds of experts such as historians or biologists with the purpose of maintaining a certain degree of consistency in the political decisions and/or to present more commodities on the shelves of landscape politics. A biologist can, for instance, either inform the public about the various consequences of decisions concerning landscape development, or present a case for preserving certain features and elements, which she herself considers to be particularly important. Other defenders of equal co-determination would find the last role illegitimate, particularly if the biologist was employed by the public.

People who underline the third set of democratic values: objectivity, impartiality and respect for arguments, have a much more inviting attitude towards experts and, particularly, connoisseurs. Whereas defenders of the two first positions are likely to have a reluctant and rather defensive attitude towards landscape experts and connoisseurs, defenders of the third position believe that the possibilities for learning, which experienced people represent, are extremely important. Not only for the identification and preservation of significant landscape features and elements, but also for the reflective processes which are fundamental, if the citizens shall be able to liberate themselves from "the three kinds of egoisms" and "the slavery of unreflected desires" as a prerequisite for obtaining independent and well-considered standpoints.

Instead of just leaning back and nursing one's old ingrown prejudices and habitual knee-jerk reactions behind a protecting shield of privacy, there is, according to this third group, much more point in being challenged by arguments and sensitive observations conceived by various kinds of experienced and keen eyed landscape experts and connoisseurs. This is the case even though one may end up defending views, which differ significantly from mainstream positions among certain groups of trained landscape afficionados.

The wish to be challenged by the views of experienced people is particularly important in relation to the connoisseurs. The main difference between experts and connoisseurs is that whereas experts often try to remain neutral in normative and evaluative matters, the contributions of connoisseurs are always explicitly normative or evaluative. Whereas, for instance, experts in the construction of preference surveys try as far as possible to neutralize their own values and preferences in the research, connoisseurs like, say, landscape aestheticists are openly interested in evaluating or even judging the beauty or significance of landscapes on the basis of values, which they have developed through their

previous experience. These people do, at least if they are publicly employed, have the same effect on hard-core liberals as a red cloth in front of a bull. Defenders of the third set of democratic values, on the other hand, identify them with the possibility of learning, of deliberating and of reconsidering one's own values and priorities.

One should not exaggerate the difference between the experts and the connoisseurs, though. Through their education and subsequent training, skilled experts in, say, biology or history have developed perceptive noses and keen eyes for the values inherent in the objects of their respective sciences. It is this connoisseurship that is used, for instance, in the organization of public museum collections, where it is necessary to set up orders of priority and select the most interesting bits and pieces for the archives and, even more so, for the exhibitions. Similarly, when these experts are consulted in relation to landscape policy, it is not only in order to estimate the consequences in a neutral way, but also to evaluate the possible gains and losses on a scale of importance, i.e., as connoisseurs. If, instead, we were to rely on expert decisions of a kind, which can be separated clearly from connoisseur evaluations, mechanical operationalisation and use of foolproof methods are likely consequences. This would only be appropriate in very distinctive areas, however, and could never work as a general rule.

Liberals, in particular, would associate the consultation of experts and connoisseurs with the danger of "paternalism" or the establishment of some kind of "meritocracy," where one single group monopolizes the political decision making. This danger can be avoided, however, if some strict rules are observed in the consultations. It is necessary, for instance, that consultations are open to the public, that influence is only possible by means of arguments, and that the consultations include many different kinds of experts and connoisseurs. The point is not, after all, to transfer all decision competence to one exclusive group of connoisseurs, in spite of all democratic decision procedures, but basically to give the decision makers, as well as the public in general, a chance of becoming acquainted with qualities, which they have not had an eye for previously, and which they may never have become aware of on their own.

Concluding remarks

The European Landscape Convention focuses on landscape quality, on the necessity of making landscape assessment a matter of public concern, and on

the need to make this assessment truly democratic. The Convention itself is deliberately not all too clear about the specific consequences of any of the three concerns. It does not say very much about which kinds of qualities are important to preserve or enhance. It does not recommend any particular assessment method or procedure. Nor does it give any detailed advice about which kind of political decision procedure is best, when a true landscape democracy is sought. These are problems which the signing parties will have to solve on their own.

In this chapter I have argued, firstly, that there are at least three sets of values associated with the democratic ideal, and that these three sets do not without further ado move us in the same direction. Secondly, I have argued that there are several different and supplementary institutional set-ups and procedures, which work in parallel, often in a rather competitive way, and which probably only on account of their complementarities may help to guarantee a democratic outcome.

I have emphasized the public deliberative process and the importance of basing decisions on arguments rather than on surveys of hastily changing and more or less unconsidered preferences. Objectivity and impartiality are probably the one of the three sets of democratic values that is most easily overlooked. However, it is quite important, too, to keep in mind the necessity of involving as many people as possible and, in particular, not to overlook those who find it difficult to formulate their arguments and opinions as clearly and convincingly as trained and well-educated debaters. Not only may they have important insights to deliver to public deliberations. It is their landscape as well, and if they shall identify with and contribute constructively to its development, involvement is paramount.

It should also be mentioned, though, that the development of landscapes is not simply a matter of landscape policy. There are many other factors that influence the way landscapes develop. The market has a very strong influence due to the fact that agriculture and other productive sectors no longer produce for consumers at the local market place, but buy and sell goods in a globalised market. A few changes in the balance of supply and demand of some key goods, or an adjustment of the rate of interest in a foreign bank, can alter the local landscape significantly. Just as important is the fact that political decisions are not, in general, focused on landscapes. Yet, even apparently distant political areas like, say, tax policy or social policy can often have a strong influence on the way landscapes develop due to their effects on, for instance, localization patterns. Likewise, a seemingly remote political area like energy policy in countries

on the other side of the globe may influence the local landscape heavily as a result of their impact on the greenhouse effect.

By adopting the European Landscape Convention the Council of Europe has opened a new room in the important debate about democratic influence on the protection, management and planning of landscapes. It is now up to the local authorities to decide which kind of institutional setup they find most appropriate for a true landscape democracy. So even though there are other factors with a strong influence on the transformation of landscapes, the very focus on landscapes can in itself be expected to further the process towards a more conscious and publicly deliberated development.